

ORDINANCE NO. 88-2

1 ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM
2 BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 80-8, AS
3 AMENDED BY ORDINANCE NO. 81-27, NO. 82-26, NO. 83-5,
4 NO. 84-1, NO. 84-16, 85-41, AND 87-3 TO INCORPORATE THE
5 CHANGES TO PALM BEACH COUNTY COMPREHENSIVE PLAN,
6 PROVIDING FOR; AMENDMENTS TO THE FUTURE LAND USE
7 ELEMENT; PROVIDING FOR REPEAL OF CONFLICTING
8 ORDINANCES, SEVERABILITY AND EFFECTIVE DATE.

9 WHEREAS, the Local Government Comprehensive Planning Act of
10 1975, as amended, Section 163.3161, et seq., Florida Statutes,
11 requires each local governmenta in the State of Florida to adopt
12 a Comprehensive Plan to guide and control future development; and

13 WHEREAS, the Board of County Commissioners of Palm Beach
14 County, Florida, pursuant to said act, adopted Ordinance No. 80-
15 8, establishing the Palm Beach County Comprehensive Plan; and

16 WHEREAS, s. 163.3184 (15) (1986) requires all amendments to
17 Comprehensive Plan's to be adopted by ordinance; and

18 WHEREAS, the Palm Beach County Local Planning Agency
19 conducted a public hearing on December 17, 1987 to review the
20 proposed amendment to the Palm Beach County Comprehensive Plan
21 and authorized the transmittal of the proposed change to the
22 Department of Community Affairs for its review and comments
23 pursuant to Chapter 163, Florida Statutes.

24 WHEREAS, the Palm Beach County Board of County Commissioners
25 conducted public hearing on January 26, 1988; to consider public
26 comments and comments received from the Department of Community
27 Affairs and the Treasure Coast Regional Planning Council pursuant
28 to Chapter 163, Florida Statutes; and

29 WHEREAS, the Palm Beach County Board of County Commissioners
30 as the governing body of Palm Beach County, Florida, voted to
31 adopt amendments to its Comprehensive Plan pursuant to
32 s. 163.3184 (15) at the above referenced meetings of January 26,
33 1988.

34 WHEREAS, the notice requirements in Chapter 125 and 166,
35 Florida Statutes, are specifically declared to be superseded by
36 s. 163.3184 (15) (1986).

37 NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY
38 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION I.

AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE
COMPREHENSIVE PLAN OF UNINCORPORATED PALM BEACH COUNTY.

The Palm Beach County Comprehensive Plan adopted as Palm Beach County Ordinance No. 80-8, Pages 1-14, (Land Use Element) as amended by Ordinances No. 81-27, No. 82-26, no. 83-5, No. 84-1, No. 84-16, 85-41 and 87-3, is hereby amended as follows:

A. COMMERCIAL POTENTIAL DESIGNATIONS. Beginning on Page 8, the Specific Permitted Commercial and Industrial Locations and Special Land Use Policies and Regulations by Reference Area section is hereby amended to add the following Commercial Potential designation:

1) Area No. 26.

6. On the north side of S.R. 80, approximately .3 miles east of S.R. 715, for the property more specifically described as follows:

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN NORTH 89° 42' 59" EAST ALONG THE SOUTH LINE OF SAID 6, A DISTANCE OF 2636.96 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SAID SECTION 6; THENCE NORTH 01° 24' 30" EAST ALONG THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 6, A DISTANCE OF 27.01 FEET TO THE POINT OF BEGINNING. SAID POINT ALSO BEING ON A LINE 27.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6.

FROM THE POINT OF BEGINNING RUN THENCE ALONG THE FOLLOWING NUMBERED COURSES:

1. SOUTH 89° 42' 59" WEST ALONG A LINE 27.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, A DISTANCE OF 852.76 FEET; THENCE
2. NORTH 01° 56' 14" EAST 600.00 FEET; THENCE
3. NORTH 89° 42' 59" EAST 866.48 FEET; THENCE
4. SOUTH 00° 54' 35" WEST 599.69 FEET TO A POINT ON A LINE PARALLEL WITH AND 27.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6, THENCE
5. ALONG SAID PARALLEL LINE SOUTH 89° 45' 00" WEST 24.48 FEET TO THE POINT OF BEGINNING

CONTAINING 12.00 ACRES

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD

B. RESIDENTIAL PLAN CLASSIFICATIONS. Beginning on Page 8, the Specific Permitted Commercial and Industrial Locations and Special Land Use Policies and Regulations by Reference Area section is hereby amended to add the following Special Policy for a Residential Land Use Plan Category change:

1) Area No. 26.

3. The Land Use Plan Category is changed from Low to Medium Residential to Medium to Medium High Residential for the property on the north side of S.R. 80, approximately .3 miles east of S.R. 715, more specifically described as follows,:

A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN NORTH 89° 42' 59" EAST ALONG THE SOUTH LINE OF SAID SECTION 6, A DISTANCE OF 2636.96 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SAID SECTION 6; THENCE NORTH 1° 24' 30" EAST ALONG THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 6, A DISTANCE OF 27.01 FEET TO THE POINT OF BEGINNING. SAID POINT ALSO BEING ON A LINE 27.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6.

FROM THE POINT OF BEGINNING RUN THENCE ALONG THE FOLLOWING NUMBERED COURSES:

1. SOUTH 89° 42' 59" WEST ALONG A LINE 27.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, A DISTANCE OF 852.76 FEET; THENCE
2. NORTH 1° 56' 14" EAST 600.00 FEET; THENCE
3. NORTH 89° 42' 59" EAST 1068.21 FEET; THENCE
4. NORTH 1° 24' 2" EAST 1097.67 FEET; THENCE
5. NORTH 89° 42' 59" EAST 1097.67 FEET; THENCE
6. SOUTH 1° 24' 2" WEST 1633.36 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1332.69 FEET, A CENTRAL ANGLE OF 4° 33' 17" AND A CHORD BEARING OF SOUTH 87° 37' 10" WEST; THENCE
7. WESTERLY ALONG THE ARC OF SAID CURVE 105.94 FEET; THENCE
8. ON A LINE RADIAL TO SAID CURVE SOUTH 0° 6' 12" EAST 51.06 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1829.86 FEET, A CENTRAL ANGLE OF 5° 57' 12" AND A CHORD BEARING OF SOUTH 86° 46' 18" WEST; THENCE
9. WESTERLY ALONG THE ARC OF SAID CURVE 190.13 FEET TO A POINT ON A LINE PARALLEL WITH AND 27.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6; THENCE

10. ALONG SAID PARALLEL LINE SOUTH 89° 45' 0" WEST 1024.81 FEET TO THE POINT OF BEGINNING.

1 CONTAINING 57.345 ACRES LESS THE FOLLOWING:

2 A PARCEL OF LAND IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE
3 37 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

4 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6;
5 THENCE RUN NORTH 89° 42' 59" EAST ALONG THE SOUTH LINE
6 OF SAID 6, A DISTANCE OF 2636.96 FEET TO THE SOUTHEAST
7 CORNER OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SAID
8 SECTION 6; THENCE NORTH 01° 24' 30" EAST ALONG THE
9 NORTH-SOUTH QUARTER LINE OF SAID SECTION 6, A DISTANCE
10 OF 27.01 FEET TO THE POINT OF BEGINNING. SAID POINT
11 ALSO BEING ON A LINE 27.00 FEET NORTH OF AS MEASURED AT
12 RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6.

13 FROM THE POINT OF BEGINNING RUN THENCE ALONG THE
14 FOLLOWING NUMBERED COURSES:

- 15 1. SOUTH 89° 42' 59" WEST ALONG A LINE 27.00 FEET NORTH OF
16 AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, A
17 DISTANCE OF 852.76 FEET; THENCE
18 2. NORTH 01° 56' 14" EAST 600.00 FEET; THENCE
19 3. NORTH 89° 42' 59" EAST 866.48 FEET; THENCE
20 4. SOUTH 00° 54' 35" WEST 599.69 FEET TO A POINT ON A LINE
21 PARALLEL WITH AND 27.00 FEET NORTH OF AS MEASURED AT
22 RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6,
23 THENCE
24 5. ALONG SAID PARALLEL LINE SOUTH 89° 45' 00" WEST 24.48
25 FEET TO THE POINT OF BEGINNING

26 CONTAINING 12.00 ACRES

27 SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-
28 WAYS OF RECORD

29 SECTION II.

30 REPEAL OF CONFLICTING ORDINANCES

31 All ordinances or parts of ordinances in conflict herewith
32 are hereby repealed to the extent of such conflict.

33 SECTION III.

34 SEVERABILITY

35 Should any section or provisions of this ordinance or any
36 portion thereof, any paragraph, sentence or word ever be held or
declared to be unconstitutional, inoperative or void, such
decision shall not affect the validity of the remaining portions
of this ordinance.

SECTION VI.

INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article, or any other appropriate word.

SECTION V.

EFFECTIVE DATE

The provisions of this ordinance shall become effective upon receipt of acknowledgement by the Department of State, State of Florida.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida on the 26th day of January, 1988.

PALM BEACH COUNTY, FLORIDA BY ITS BOARD
OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK
Board of County Commissioners

By: John M. Eldridge
DEPUTY CLERK

By: [Signature]

Chair

Acknowledged by the Department of the State of Florida, on this, the 3rd day of February, 1988, and Commissioners of Palm Beach County, Florida.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 5th day of February, 1988, at 1:55 P.M, and filed in the office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY

By: [Signature]

Assistant County Attorney

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, ex-officio Clerk of the
Board of County Commissioners, certify this to
be a true and correct copy of the original filed in
my office on 1/26/88
DATED at West Palm Beach, FL on 2/7/88
JOHN B. DUNKLE, Clerk
By: [Signature] D.C.
Deputy Clerk

LEB 10 1988